IT IS SO ORDERED

Judge James Ware

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF THE STATE OF CALIFORNIA

GARY KREMEN, an individual,	)	CASE NO. **98-20718 JW**
	)	
Plaintiff,	)	**ORDER GRANTING STEVE**
	)	**TEICH'S REQUEST TO**
vs.	)	**WITHDRAW AS COUNSEL OF**
	)	**RECORD**
STEPHEN MICHAEL COHEN, an individual,	)	
	)	
Defendant.	)	
	)	

I **STEVE EMERY TEICH**, hereby declare:

That I am an attorney at law duly licensed to practice before the Northern District of California;

That on June 10, 2010, I received by way of email a declaration of Timothy Dillon;

That this declaration is filed in response;

While it is true that the substitution of attorney order filed on February 26, 2007, document 1259 states that Counsel John Goalwin is no longer listed as counsel for Stephen Cohen the substitution request submitted by Mr. Cohen was to substitute attorney Steve Emery Teich out as attorney and substitute Stephen Cohen in pro se;

The attached form was signed by Mr. Cohen and myself was to substitute me out and himself in (see exhibit attached);

While I did not file the form and proposed order it I assumed Mr. Cohen did and was the

DECLARATION OF STEVE EMERY TEICH

1 basis of the motion which was granted on February 26, 2007;

2   I do not know why the court minutes only mention Mr. Goalwin unless it was a bookkeeping

3 matter since Mr. Goalwin had been previous counsel and I do not recall nor does the docket indicate

4 that Mr. Goalwin had been formally substituted out nor that I had been formally substituted in;

5   Attorney Goalwin had not appeared with Mr. Cohen for many months and I had represented

6 Mr. Cohen solely for the civil contempt proceeding;

7   Following his release from jail Mr. Cohen had no funds to hire another lawyer and I had

8 made it clear to Mr. Cohen that I did not feel qualified nor did I wish to represent him on any further

9 litigation in this matter;

10   Mr. Cohen agreed and filed the motion to substitute me out as counsel which motion was

11 granted;

12   Mr. Cohen's request to substitute in as counsel of record was specifically made at my

13 request to relieve me as to any further responsibility for the case;

14   The minutes of February 26, 2007 clearly indicate that the Court granted Stephen Cohen's

15 motion to substitute as counsel in pro se;

16   There after beginning with document 1260 all filings were made by Mr. Cohen in pro ser

17 with address c/o Robert Meredith, 1111 Brickyard Road #206, Salt Lake City, UT 84106 and

18 afterward following November 26, 2007 document 1350 filed in pro se at A.V. La Marina Edif.

19 13 Dep.1, Mazatlan, Sinaloa, Mexico;

20   Civil minutes thereafter listed Stephen Michael Cohen (in pro se) and an order was made

21 to serve documents on Defendant Cohen through the Court's electronic filing system (see document

22 1329);

23   Following February 26, 2007 while I occasionally received documents or email notification

24 of documents I never responded nor made any representations that I still represented Mr. Cohen;

25   Following February 26, 2007 I have never filed any documents in this case nor as attorney

26 for Mr. Cohen , nor do I recall having personally received a subpoena for his presence;

27   It is not unusual for me to receive emails from the court regarding former clients even after

28 the case is closed or I have been relieved as counsel since many times the clerks do not withdraw

<div align="center">2</div>

DECLARATION OF STEVE EMERY TEICH

1 named counsel from the list of service even after the case has ended or counsel have been

2 substituted out;

3   Since the emails stated that the case was closed I did not think it necessary to take my name

4 off the list;

5   I again request the court to relieve me of any responsibility to act on Mr. Cohen's behalf and

6 to order the attorneys for Mr. Kremen to desist in contacting me since I have not represented Mr.

7 Cohen since February 26, 2007;

8   I declare under penalty of perjury that the above is true and correct. Executed this 10th day

9 of June 2010 at San Francisco, California.

10

11

12   \S\
                                                        STEVE EMERY TEICH

13

14

15 ***** ORDER *****

16
      Based on Mr. Teich's declaration, and the record before the Court, the Court finds
17 good cause to GRANT Mr. Teich's request to withdraw as counsel of record for Defendant
    Cohen. The record is clear that Mr. Teich entered the case for a limited purpose of moving
18 the Court to release Defendant Cohen from custody as the result of the Court's civil
    contempt order.
19
      Accordingly, the Order granting Plaintiff's Ex Parte Application for Judgment Debtor
20 examination is VACATED and the examination currently set for June 28, 2010 is
    VACATED. This is without prejudice to Plaintiff to renew the Motion once the proper
21 agent of service for Defendant Cohen has been identified.
      The Clerk of Court shall terminate Mr. Teich from the docket so that he is no longer
22 burden by the filings in this case.
      The Court will not entertain further filings on this matter.
23

24

25 Dated: June 17, 2010   _____
                                             JAMES WARE
26   United States District Judge

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DECLARATION OF STEVE EMERY TEICH